

AMENDMENTS TO THE DRAWINGS:

The attached drawing(s) include changes to FIG. 8. The replacement sheet containing FIG. 8 replaces the original sheet including FIG. 8. In FIG. 8, reference number 27 has been changed to 37.

For the convenience of the Examiner, an annotated sheet showing the changes made is also attached. Approval of this change to the Drawings is respectfully requested.

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 4 and 5 have been canceled, claim 2 has been amended, and claims 6-8 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-3, and 6-8 are pending and under consideration.

ALLOWABLE SUBJECT MATTER

In the Office Action, at page 3, the Examiner indicated that claims 2 and 3 would be allowable if rewritten in independent form. Applicants respectfully submit that claim 2 has been rewritten in independent form, and that claim 2, as well as claim 3, which depends from now-independent claim 2, are now allowable.

PRIORITY:

In the Office Action, at page 2, the Examiner asserted that Applicants have not yet filed a certified copy of the Japanese Priority Documents. Applicants respectfully disagree.

In the transmittal papers filed with the subject application (a copy of the pertinent page is enclosed herewith), box 15a was checked to indicate that the certified copies were filed in the prior parent application, 10/185,015, to which the subject application claims priority under 35 U.S.C. §120.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 3, item 1, the Examiner rejected claim 1 under 35 U.S.C. §102 (b) as being anticipated by McEwen et al. (U.S. Patent No. 3,980,014 – hereinafter McEwen). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

The Examiner appears to assert that McEwen discloses all of the elements of claim 1. Applicants respectfully disagree.

Independent claim 1 recites: “[a] A grinding sludge compacting machine to compress and make a briquette of a grinding sludge by inserting a concentrated grinding sludge formed by filtering a grinding sludge, produced in a grinding line by grinding hardened component parts

while containing a coolant, into a press unit comprising a cylindrical mold fixed on a machine bench, a first piston reciprocatingly movably inserted in the cylindrical mold and a second piston arranged in face-to-face relation with the first piston, and compressing the concentrated sludge; a diameter of an end of the second piston being larger than an inner diameter of the cylindrical mold.”

In McEwen, there is no indication that the grinding sludge results from grinding hardened component parts. In fact, McEwen indicates that the sludge results from cutting tool waste. (See McEwen, at col. 1, lines 10-15). Additionally, the compression chamber 20 disclosed in McEwen is not cylindrical, but rather, is rectangular. (See McEwen, for example, at FIG. 2).

Also, the Examiner states that it is inherent that the piston 50 has a larger diameter than the compression chamber 20. Applicants respectfully disagree.

While McEwen does not explicitly state a size relationship between the piston 50 and the compression chamber 20, in FIG. 1, the piston 50 appears to be inserted in the end of the compression chamber 20. Further, the section cited by the Examiner in support of the inherency (col. 4, lines 29-43) appears instead to refute such inherency. The cited section states that the piston 50 may be provided with a gasket 54 similar to the gasket 44 on the compressing piston 40. (See McEwen, at col. 4, lines 29-33). Applicants respectfully submit that if an end of the piston 50 were indeed larger than inner dimensions of the compression chamber 20, then such a gasket 54 would have no function.

Accordingly, Applicants respectfully submit that claim 1 patentably distinguishes over the cited art, and should be allowable for at least the above-mentioned reasons.

NEW CLAIMS

Applicants respectfully submit that for at least similar reasons as those stated in the section regarding the rejection under 35 U.S.C. §102, as well as for the Examiner’s stated allowability of claim 2 as rewritten in independent form, new claims 6-8 patentably distinguish over the cited art and should be allowable.

CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all

pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Fig. 8

